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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KHANH KIM NGUYEN,

Defendant.

No. SA CR 22-88-DOC

[PROPOSED] ORDER CONTINUING TRIAL
DATE AND FINDINGS REGARDING
EXCLUDABLE TIME PERIODS PURSUANT
TO SPEEDY TRIAL ACT

[PROPOSED] TRIAL DATE: [06-13-23]

The Court has read and considered the Stipulation Regarding Request for (1) Continuance of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance of the trial date in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and all

1 defendants in a speedy trial; (ii) failure to grant the continuance
2 would be likely to make a continuation of the proceeding impossible,
3 or result in a miscarriage of justice; (iii) failure to grant the
4 continuance would unreasonably deny all defendants continuity of
5 counsel and would deny defense counsel the reasonable time necessary
6 for effective preparation, taking into account the exercise of due
7 diligence; and (iv) the time period of September 6, 2022 to June 13,
8 2023 constitutes a reasonable period of delay for defendant.

9 THEREFORE, FOR GOOD CAUSE SHOWN:

10 1. The trial in this matter is continued from September 6,
11 2022 to June 13, 2023. The status conference hearing is continued to
12 June 5, 2023.

13 2. The time period of September 6, 2022 to June 13, 2023,
14 inclusive, is excluded in computing the time within which the trial
15 must commence, pursuant to 18 U.S.C. §§ 3161(h)(6), 3161(h)(7)(A),
16 (h)(7)(B)(i), and (B)(iv).

17 3. Nothing in this Order shall preclude a finding that other
18 provisions of the Speedy Trial Act dictate that additional time
19 periods are excluded from the period within which trial must
20 commence. Moreover, the same provisions and/or other provisions of
21 the Speedy Trial Act may in the future authorize the exclusion of
22 additional time periods from the period within which trial must
23 commence.

24 IT IS SO ORDERED.

25
26 _____
27 DATE

26 _____
27 HONORABLE DAVID O. CARTER
28 UNITED STATES DISTRICT JUDGE

Presented by:

/s/

DANIEL S. Lim
Assistant United States Attorney